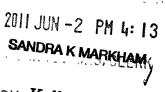
Office of the Yavapai County Attorney

25

26

JEFFREY G. PAUPORE, SBN 007769 STEVE A. YOUNG, SBN016838 Deputy County Attorney YCAO@co.yavapai.az.us

Attorneys for STATE OF ARIZONA



BY: Kelly Gresham

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

1

2

3

4

5

6

7

STEVEN CARROLL DEMOCKER,

Defendant.

CAUSE NO. P1300CR201001325

STATE'S REPLY RE: TRIAL IN PRESCOTT

Assigned to Hon. Warren R. Darrow Division PTB

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned replies to defendant's response regarding holding trial in Prescott instead of in the Verde Valley. The defendant mis-states this Court's ruling on May 2, 2011.

At the time the Court denied the State's motion to transfer the trial to Prescott, it did not preclude reconsideration of the issue. The Court stated it would allow the State the opportunity to re-visit the issue.

Yavapai County Superior Court local Rule 1.2(b) enumerates what cases are eligible for the Verde Valley Judicial District. None of the qualifying factors pursuant to Rule 1.2(b) justify holding this trial in the Verde Valley Judicial District. Under local rules the court must grant the State's motion to transfer this case to the Prescott Judicial District. Since this is a motion for reconsideration, Yavapai County Superior Court, Local Rule 1.2 (C)(3) barring a reply is not applicable.

Office of the Yavapai County Attorney 255 E. Gurley Street. Suite 300

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

771-3110

Facsimile:

771-3344

(928)

Phone:

The Court must consider the location of the events which the alleged cause of action arose; location of the residences of the parties involved; location of the parties' respective counsel; the number and convenience of the parties' witnesses; and the financial impact of the litigation on the parties and witnesses. *See Local Rule 1.2 (C)(4)*. In addition, the majority of the Yavapai County Sheriff's personnel who investigated this matter are assigned in Prescott.

CONCLUSION

Yavapai County Superior Court local Rule 1.2(b) precludes the trial being held in the Verde Valley Judicial District. The defendant has not presented a colorable objection to the State's motion.

RESPECTFULLY SUBMITTED this 2nd day of June, 2011.

Sheila Sullivan Polk YAVAPAI COUNTY ATTORNEY

Deputy County Attorney

copy of the foregoing emailed this day of June, 2011, to:

Honorable Warren R. Darrow

Division 6

Yavapai County Superior Court

Via email to Diane Troxell: DTroxell@courts.az.gov

24 Craig Williams

Attorney for Defendant

25 Yavapai Law Office

26 3681 No. Robert Rd.

Prescott Valley, AZ 86314

Via email to <u>yavapaiolaw@hotmail.com</u>

	1	Greg Parzych
Office of the Yavapai County Attorney 255 E. Gurley Street, Suite 300 Prescott, AZ 86301 Phone: (928) 771-3344 Facsimile: (928) 771-3110	2	Greg Parzych Co-counsel for Defendant 2340 W. Ray Rd., Suite #1
	3	
	,	Chandler, AZ 85224
	4	via email to: gparzlaw@aol.com
	5	Daniela De La Torre
	6	Attorney for victim Charlotte DeMocker
		245 West Roosevelt, Suite A Phoenix, AZ 85003
	7	
	8	via email to: ddelatorre@azbar.org
	9	Melody G. Harmon
	10	Attorney for victim Katie DeMocker
		210 S. 4 th Ave., Suite 220
	11	Phoenix, AZ 85003 Via email to mharmonlaw@gmail.com John Napper
	12	
	13	
	14	Attorney for Renee Girard 634 Schemmer, Ste 102
		Prescott, AZ 86305 Via email to johnnapper@cableone.net
	15	
	16	, ,
	17	
		By: 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	18	
	19	
	20	
	21	
	22	
	23	
	24	
	25	
	26	